

PATENT  
0505-4001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **TRADING SYSTEM WITH ELFS AND UMPIRES**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification. I acknowledge the duty to disclose all information known to me that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney with full power of substitution and revocation, to prosecute said application, to make alterations and amendments thereto, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Brenda Pomerance

Reg. No. 36,894

Please address all correspondence and calls to Brenda Pomerance, 260 West 52 St. Apt. 27B, New York, New York 10019, (212) 245-3940.

Inventor's signature Christopher KeithDate 3/27/00

Full name of 1st inventor: Christopher Keith

Residence: 105 Hudson Street Apt. 5S. New York, NY 10013

Citizenship: U.S.

Post Office Address: same as residence

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**APPLICANT:** Christopher Keith**GROUP ART UNIT:** To be assigned**FILED:** Herewith**SERIAL NO.:** To be assigned**FOR:** TRADING SYSTEM WITH ELFS AND UMPIRES**STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. § 1.9(f) AND § 1.27(c) – SMALL BUSINESS CONCERN)**

I hereby state that I am

- the owner of the small business concern identified below.
- an official of the small business concern identified below empowered to act on its behalf.

**NAME OF CONCERN** ExchangeNet, Inc.**ADDRESS OF CONCERN** 145 Hudson Street, New York, NY 10013

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18; and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I hereby state that exclusive rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **TRADING SYSTEM WITH ELFS AND UMPIRES** by inventor Christopher Keith described in

- the specification filed herewith
- application serial no \_\_\_\_\_ filed \_\_\_\_\_
- Patent No. \_\_\_\_\_ issued \_\_\_\_\_

The rights held by the above identified small business concern are exclusive.

I acknowledge the duty under 37 C.F.R. § 1.28(b) to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

**NAME OF PERSON SIGNING** Christopher Keith**TITLE OF PERSON IF OTHER THAN OWNER** President**ADDRESS OF PERSON SIGNING** 145 Hudson Street, New York, NY 10013Date: 3/27/01Signature: Christopher Keith